

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|                        |   |                                 |
|------------------------|---|---------------------------------|
| TARRENCE COBB,         | ) |                                 |
|                        | ) |                                 |
| Plaintiff,             | ) |                                 |
|                        | ) |                                 |
| v.                     | ) | CIVIL ACTION NO. 2:20-CV-50-WHA |
|                        | ) |                                 |
| BILL FRANKLIN, et al., | ) |                                 |
|                        | ) |                                 |
| Defendants.            | ) |                                 |

**ORDER**

On July 29, 2020, the Magistrate Judge entered a Recommendation (Doc. #17) to which no timely objections have been filed. After an independent review of the file and upon consideration of the Recommendation, it is ORDERED that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. The Defendants' motion to dismiss is GRANTED to the extent the Defendants seek dismissal of this case due to the Plaintiff's failure to properly exhaust an administrative remedy available to him during his confinement at the Elmore County Jail prior to initiating this cause of action.
3. This case is DISMISSED with prejudice in accordance with the provisions of 42 U.S.C. § 1997e(a) for the Plaintiff's failure to properly exhaust an administrative remedy previously available to him at the Elmore County Jail.
4. No costs are taxed herein.

A separate Final Judgment will be entered.

DONE this 10<sup>th</sup> day of September, 2020.

/s/ W. Harold Albritton  
SENIOR UNITED STATES DISTRICT JUDGE